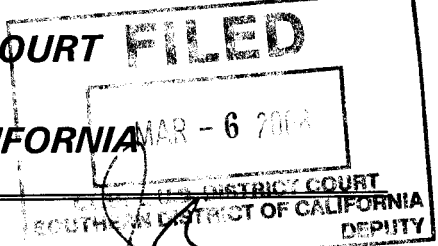


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

GERARDO MARTINEZ-CANTERAR

CASE NUMBER: 08 CR 672 BEN

I, GERARDO MARTINEZ-CANTERAR, the above named defendant, who is accused
of committing the following offense:

Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C.,
Sec. 1325 - Illegal Entry (Felony),

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby
waive in open court on 3/6/08 prosecution by indictment and consent that the
proceeding may be by information rather than by indictment.

Gerardo Martinez
Defendant

Shelly M. [Signature]
Counsel for Defendant

Before [Signature]
JUDICIAL OFFICER